

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**UNITED STATES OF AMERICA**

**V.**

**SANTO COLEMAN**

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)

**Case No.2:06-mj-79-SRW**

**MOTION TO UNSEAL TERMS AND CONDITIONS OF RELEASE**

NOW COMES the Defendant, Santo Coleman, through counsel, and pursuant to the First Amendment to the United States Constitution respectfully moves this Honorable Court to unseal co-defendant Alberto Villareal's terms and conditions of release. In support thereof, counsel states as follows:

1. The defendant Alberto Villareal is charged with violation 21 USCA 846 along with Santo Coleman and Harry E. Jones.
2. Villareal was arrested on August 9, 2006.
3. Villareal's terms and conditions of release are under seal, however his address remains public.
4. The sealing of Villareal's hearing regarding the terms and conditions of his release are contrary to the First Amendment's presumption of openness and public access to court documents. *Globe Newspaper Co. v. Superior Court for the County of Norfolk*, 457 U.S. 596, 603, 102 S.Ct. 2613, 73 L.Ed.2d 248 (1982); *Chicago Tribune Co. v. Bridgestone/Firestone, Inc.*, 263 F.3d 1304, 1310 (11th Cir.2001); *U.S v. Ochoa Vasquez* 428 F.3d 1015 (11<sup>th</sup> Cir.2005).

5. There is no compelling reason to seal the terms and conditions of release and the minutes of Villareal's initial appearance and/or detention hearing.

Wherefore premises considered, the defendant prays that this court will unseal the terms and conditions of release and/or minutes from Villarreal's' initial appearance and detention hearings.

Done this 7<sup>th</sup> Day of September, 2006.

Respectfully Submitted,

/s/ Joe M. Reed  
Joe M. Reed  
Attorney for Defendant Coleman

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**Certificate of Service**

I hereby certify that the foregoing was filed with the Clerk of the Court and that notice will be sent by the Clerk to the Honorable Terry Moorner, Assistant United States Attorney, P.O. Box 197, Montgomery, AL 36101 by electronic mail this 6<sup>th</sup> day of September, 2006.

/s/ Joe M. Reed  
Joe M. Reed